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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/690,066	10/20/2003	Andrew Harvey Barr	100202103-1	6663

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EXAMINER

JONES, STEPHEN E

ART UNIT PAPER NUMBER

2817

DATE MAILED: 04/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/690,066	Applicant(s) BARR, ANDREW HARVEY	
	Examiner Stephen E. Jones	Art Unit 2817	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 March 2006.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11, 14-23, 25-28 and 30-35 is/are pending in the application.
- 4a) Of the above claim(s) 5, 17-23, 25-28, 31, 33 and 35 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6-11, 14-16, 30, 32 and 34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☒ Claim(s) 1-11, 14-23, 25-28 and 30-35 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. Applicant's election with traverse of Species II in the reply filed on 3/6/06 is acknowledged. The traversal is on the ground(s) that no basis for the restriction is set forth and the examiner can search and examine the entire application without serious burden. This is not found persuasive because MPEP 809.02 (a) clearly shows that identification of non-obvious Figures and descriptions is sufficient for a species restriction requirement. Furthermore, the numerous non-obvious variants presented in the application present a burden in both search and examination. It is extremely difficult in the limited examining time provided to search and examine ten non-obvious variants

The requirement is still deemed proper and is therefore made FINAL.

Applicant indicated that claims 1-11 and 14-16 read on the elected species. However, upon examination it appears that claims 30, 32, and 34 also read on the elected species and thus will also be examined. Furthermore, claim 5 more appropriately reads on species V.

2. Accordingly, Claims 5, 17-23, 25-28, 31, 33, and 35 are withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected species, there being no allowable generic or linking claim. Applicant timely traversed the restriction (election) requirement in the reply filed on 3/6/06.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-4, 6-11, 14-15, 30, 32, and 34 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Imano et al (US 6,184,478).

Imano (Fig. 5) teaches a circuit board including: a signal line (52) (i.e. a trace) and a conductive ground plane (50) are centered to each other and spaced on an opposite side of a circuit board (Claim 3, 4, 6, 10, 14, 15, 32); the ground plane has an opening (i.e. all of the items 51 can be considered one opening in the same nomenclature as Applicant's invention since it is structurally the same) along the signal line with bridging portions that can be considered unequally spaced (e.g. the 1st bridging portion at the left input/output end of the signal line is a wider bridge than the next four bridges, and the sixth bridge is also different); the width of the opening is wider than the signal conductor (Claim 2); the device provides impedance matching, and the size and position inherently affect the impedance in the same manner as the present invention (and especially since it the same structure as the presently claimed structure) (Claim 7, 8, 9, 30, 34); and the opening can be considered continuous in the same manner as the present invention since the opening continues along the length of the signal line with the exception of the bridging portions in the same manner as the present invention (Claim 11). Also, inherently the width of the bridges are a size that presents negligible discontinuity to a signal flowing for the device to function to transmit signals in an acceptable manner (Claim 1).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

7. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Imano et al (US 6,184,478).

Imano teaches a circuit board as described above but does not explicitly teach that the signal conductor can be inside the board.

Also, it is well-known that microstrip and stripline (i.e. an internal signal line) are well-known art-recognized equivalents.

Accordingly it would have been considered obvious to one of ordinary skill in the art to have modified the Imano microstrip device to have been formed as a stripline (i.e. an internal signal line), since such a modification would have been considered an art-

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recognized functionally equivalent transmission line configuration for high speed circuit boards.

Response to Arguments


8. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen E. Jones whose telephone number is 571-272-1762. The examiner can normally be reached on Monday through Friday from 9 AM to 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert J. Pascal can be reached on 571-272-1769. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SEJ


STEPHEN E. JONES
PRIMARY EXAMINER